

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE U.A.
LOCAL NO. 159 HEALTH AND WELFARE
TRUST FUND, et al.,

Plaintiffs,

v.

RT/DT, INC., et al.,

Defendants.

No. C 12-05111 JSW

**ORDER ADOPTING REPORT
AND RECOMMENDATION RE:
PLAINTIFFS' MOTION FOR
DEFAULT JUDGMENT AS TO
DEFENDANT RT/DT, INC. AND
INSTRUCTIONS TO CLERK**

(Docket Nos. 16, 30)

This matter comes before the Court upon consideration of the Report and Recommendation prepared by Magistrate Judge James, in which she recommends that this Court grant Plaintiffs' motion for default judgment as to Defendant RT/DT, Inc. The Court finds the report thorough and well reasoned and HEREBY ADOPTS it in every respect.

Accordingly, the Court GRANTS Plaintiffs' motion for default judgment. Pursuant to Federal Rule of Civil Procedure 54(b), the Court shall enter judgment against Defendant RT/DT, Inc. as follows: (1) principal in the amount of \$176,419.84; (2) pre-judgment interest through February 28, 2013 on the unpaid principal amount of \$8,816.16; (3) post-judgment interest, on unpaid sums, which shall continue to accrue interest at a rate of twelve percent (12%) per annum from February 28, 2013 until paid; and (4) attorneys' fees and costs in the amount of \$4,384.00.

It is FURTHER ORDERED that the Clerk shall terminate defendant RT/DT, Inc.

It is FURTHER ORDERED that the Clerk shall administratively close this case as to Defendants Robert Thomas and Dante Thomas, pursuant to the Notice of Bankruptcy filed at Docket No. 3.

1 It is FURTHER ORDERED that Plaintiffs shall file a notice with the Court that the case
2 should be re-opened within ten days after the stay may be lifted. At its discretion, the Court
3 may direct the Plaintiffs to file status reports on the status of the Bankruptcy Proceedings.

4 **IT IS SO ORDERED.**

5 Dated: May 21, 2013


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE